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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Armin Sjoerd Eijsackers, et al. Examiner:

Serial No.: 10/565946

Group Art Unit:

Filed: January 26, 2006

Docket No.: 00601.0454-US-WO

Title: PACKAGE WITH PARTLY FOAMABLE LIQUID BY MEANS OF WHICH
A REFRESHMENT CAN BE PREPARED

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper(s), as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 21, 2006.

Mary Johnston
Name

Mary Johnston
Signature

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

- ☒ Information Disclosure Statement, Form 1449, copies of four reference
- ☒ Transmittal Sheet
- ☒ Return postcard

Authorization is hereby given to charge any additional fees or credit any overpayments that may be deemed necessary to Deposit Account Number 50-1038.

Respectfully submitted,

Altera Law Group, LLC
Customer No. 22865

Date: 21 February 2006

By:

Michael B. Lasky
Michael B. Lasky
Reg. No. 29,555
MBL/mej



Serial No.10/565946

PATENT

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully submit the items of information on the enclosed Form 1449 for the attention of the Examiner in the above-identified application.

This Information Disclosure Statement is being filed within three months of the filing of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d); within three months of the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in an international application; before the mailing date of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. 1.114. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of each document or other information listed on the enclosed Form 1449 is enclosed in accordance with 37 C.F.R. §1.98(a)(2) and/or a copy of each document is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in a parent application in accordance with 37 C.F.R. §.1.98(d).

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§102 and 103. In addition, Applicant(s) do(es) not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended, and reserve the right to establish otherwise under 37 C.F.R. §1.131 or others.

Consideration of the items listed is respectfully requested. According to M.P.E.P. §609, Applicant(s) request(s) that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

DISCUSSION

According to MPEP § 609 A (3), pages 600-122, "Where the information listed is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by the foreign office." Japan references 55-92130 and 62-298433; and German references DE 3838530 A1 and DE 4332387 A1 were cited in the International Search Report for PCT/NL2004/000525. This search report was initially submitted with the patent application filed on January 26, 2006. Therefore, Applicants believe they have fulfilled their obligation to provide an English language version of the German and Japan

references and they are in complete compliance with Patent Office requirements (609 A (3)).

Authorization is hereby given to charge any additional fees or credit any overpayments that may be deemed necessary to Deposit Account Number 50-1038.

Respectfully submitted,

Altera Law Group, LLC
Customer No. 22865

Date: 21 February 2006

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